

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

NO. CR-06-0098-EFS

Plaintiff,

ORDER DENYING DEFENDANT'S
MOTION TO MODIFY PROBATION
CONDITIONS AND MOTION TO STAY

DALE R. PERRY

Defendant.

15 Before the Court are Defendant Dale R. Perry's Motion to Modify
16 Conditions of Probation (Ct. Rec. 208) and Motion to Stay Transfer to
17 Another Facility (Ct. Rec. 211). On March 31, 2008, Defendant will be
18 transferred from Bannum House to the Geiger Correctional Center.
19 Defendant insists that Geiger's conditions are "more synonymous with a
20 prison" and, based upon his exemplary behavior, asks that he be allowed
21 to spend his remaining time¹ on home confinement. (Ct. Rec. 209 at 3.)
22 After review, the Court finds good cause does not exist to modify
23 Defendant's probation conditions.

¹Defendant estimates that, on March 31, 2008, he will have approximately fifty-three (53) days remaining to be served at a residential reentry center.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Motion to Expedite Motion to Modify Conditions of
3 Probation (**Ct. Rec. 213**) is **GRANTED**.

4 2. Defendant's Motion to Expedite Motion to Stay Transfer to RRC
5 (**Ct. Rec. 214**) is **GRANTED**.

6 3. Defendant's Motion to Modify Conditions of Probation
7 (**Ct. Rec. 208**) is **DENIED**.

8 4. Defendant's Motion to Stay Transfer to Another Facility
9 (**Ct. Rec. 211**) is **DENIED**.

10 **IT IS SO ORDERED.** The District Court Executive is directed to enter
11 this Order and to provide copies to counsel and the Probation Office.

12 **DATED** this 25th day of March 2008.

13
14

S/ Edward F. Shea
15 EDWARD F. SHEA
United States District Judge

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